

FILED

JAN 10 2019

Clerk, U.S. District Court
District Of Montana
Great Falls

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**ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIE ANDREW SHARP,

Defendant.

CR 19-03-GF-BMM

INDICTMENT

**THEFT FROM AN INDIAN TRIBAL
GOVERNMENT RECEIVING FEDERAL
FUNDING**

(Count I)

**Title 18 U.S.C. §§ 2 and 666(a)(1)(A)
(Penalty: Ten years imprisonment,
\$250,000, and three years of supervised
release)**

WIRE FRAUD

(Count II)

**Title 18 U.S.C. §§ 2 and 1343
(Penalty: 20 years imprisonment, \$250,000
fine, and three years supervised release)**

FORFEITURE

18 U.S.C. § 981(a)(1)

28 U.S.C. § 2461(c)

THE GRAND JURY CHARGES:

INTRODUCTION

At all times relevant to this indictment:

1. Head Start is overseen by the United States Department of Health and Human Services (HHS), Office of Administration for Children and Family Services. The Head Start program was designed to help break the cycle of poverty, providing preschool children of low-income families with a comprehensive program to meet their emotional, social, health, nutritional, and psychological needs. Head Start and Early Head Start programs provide services to over a million children every year, in every U.S. state and territory, in farmworker camps, and in over 155 tribal communities. Those who participate in the Head Start Program receive federal grants from HHS, which is a federal agency and provides federal funds.

2. On or about April 23, 2012, the Blackfeet Tribe of the Blackfeet Nation submitted an application for a continuation grant from HHS for its Head Start Program. The application called for funding from HHS for the period starting from August 1, 2012, through July 31, 2013. On or about August 7, 2012, the Administration for Children and Family Services awarded the Blackfeet Head Start Program \$3.6 million in federal funds for the period from August 1, 2012, through July 31, 2013.

3. On or about May 6, 2013, the Blackfeet Tribe of the Blackfeet Nation

submitted an application for a continuation grant from HHS for its Head Start Program. The application requested funding from HHS for the period starting from August 1, 2013, through July 31, 2014. On or about August 2, 2013, the Administration for Children and Family Services awarded the Blackfeet Head Start Program \$3.4 million in federal funds for the period from August 1, 2013, through July 31, 2014.

4. The defendant, WILLIE ANDREW SHARP, was the Chairman of the Blackfeet Tribe and ultimately oversaw the Blackfeet Head Start Program. Denise L. Sharp was the Personnel Manager for the Head Start Program. Theresa Marie Calf Boss Ribs was the Early Head Start Manager, and served in other roles, for the Head Start Program. Patrick H. Calf Boss Ribs, Jr., was the Nutrition Manager and the Payroll Clerk for the Head Start Program. Allen Shane Goss was the Custodian for the Head Start Program.

5. WILLIE ANDREW SHARP authorized, approved, and ensured others authorized and approved overtime at the Blackfeet Head Start Program, all while knowing such overtime to be materially false and fraudulent, in whole and in part. All total, individuals at Blackfeet Head Start, including Denise L. Sharp, the wife of the defendant, WILLIE ANDREW SHARP, claimed more than 7,800 hours in overtime and received over \$232,000.00 in federal funds from the Head Start Program in a 15-month timeframe.

COUNT I

Beginning in or about April 2013, and continuing thereafter until in or about July 2014, at Browning and within Glacier County, in the State and District of Montana, and other places, the defendant, WILLIE ANDREW SHARP, the Chairman of the Blackfeet Tribe, an Indian tribal government, and the individual who ultimately oversaw the Blackfeet Head Start Program, an agency of Indian tribal government and organization, intentionally misapplied, embezzled, stole, and obtained by fraud, and otherwise without authority knowingly converted to his own use and the use of others, property valued at more than \$5,000, that was owned by, and under the care, custody, and control of such an Indian tribal government, and agency thereof, that is, the defendant, WILLIE ANDREW SHARP, embezzled, converted, and misapplied monies and funds by issuing, causing to be issued, and receiving, in whole and in part, illegitimate and fraudulent payments from the Blackfeet Head Start Program, and aided and abetted the same, all in violation of 18 U.S.C. §§ 666(a)(1)(A) and 2.

COUNT II

Beginning in or about April 2013, and continuing thereafter until in or about July 2014, at Browning and within Glacier County, in the State and District of Montana, and other places, the defendant, WILLIE ANDREW SHARP, and others, having devised and intending to devise a material scheme and artifice to defraud

the Blackfeet Tribe and HHS, for the purpose of executing such scheme and artifice, and attempting to do so, did knowingly transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice.

THE SCHEME TO APPROVE AND FALSIFY OVERTIME

During the period of the indictment, it was part of the scheme and artifice to defraud the Blackfeet Tribe and HHS that Denise L. Sharp, Theresa Marie Calf Boss Ribs, Patrick H. Calf Boss Ribs, Jr., Allen Shane Goss, and others, would fraudulently claim overtime hours from the Blackfeet Head Start Program, submit those fraudulent hours for payment, and receive such payment, all while knowing that they did not work all of the claimed overtime hours.

It was further part of the scheme and artifice to defraud the Blackfeet Tribe and HHS that the defendant, WILLIE ANDREW SHARP, would perpetuate those fraudulent overtime claims by approving, and demanding that others approve, such fraudulent claims, including those fraudulent claims for overtime hours made by his wife, Denise L. Sharp, all while knowing such claims to be materially false, in whole and in part.

THE INTERSTATE WIRE COMMUNICATIONS

During the period of the indictment, the defendant, WILLIE ANDREW SHARP, together and with others, having devised and intending to devise a material scheme and artifice to defraud, as described herein, for the purpose of executing the scheme to defraud, did cause to be deposited payroll checks in banks located in the State of Montana, thereby transmitting and causing to be transmitted by means of wire communication affecting interstate commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, from the State of Montana, and elsewhere, through Minneapolis, in the State of Minnesota, and elsewhere, and aided and abetted the same, in violation of 18 U.S.C. §§ 1343 and 2.

CRIMINAL FORFEITURE ALLEGATION

The allegations set forth in counts I and II of the indictment are re-alleged as though fully set forth herein and incorporated by reference for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of 18 U.S.C. § 981(a)(1) and 28 U.S.C. § 2461(c).

Upon conviction of any charge in the indictment, the defendant, WILLIE ANDREW SHARP, shall forfeit to the United States, any property, real and personal, which constitutes and is derived from proceeds traceable to the offense,

pursuant to 18 U.S.C. § 981(a)(1) and 28 U.S.C. § 2461(c). The property subject to forfeiture includes the following:

- A money judgment in the amount of \$38,711.00.

The defendant shall forfeit to the United States any other property of the defendant, up to the value of the property described above, pursuant to 21 U.S.C. § 853(p), if any of the property described above as being subject to forfeiture, as a result of any action or omission of the defendant:

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third party;
- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; and
- e. Has been commingled with other property that cannot be divided without difficulty

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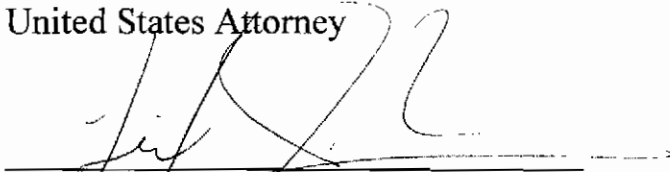
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A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.



KURT G. ALME
United States Attorney



for JOSEPH E. THAGGARD
Criminal Chief Assistant U.S. Attorney

Crim. Summons ☒

Warrants ☐

Bail: ☐

Arraignment set
Feb. 5, 2019 @ 2pm
GF-Judge Johnston